

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

GERALD CORNELIUS ELDRIDGE,

Petitioner,

v.

RICK THALER,

Respondent.

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CIVIL ACTION NO. H-05-1847

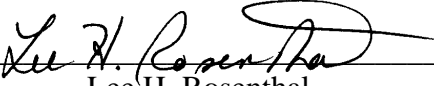
**ORDER GRANTING IN PART AND DENYING IN PART
PETITIONER'S MOTION FOR EXTENSION OF TIME**

The petitioner, Gerald Cornelius Eldridge, has moved for an extension of the briefing schedule put into place after the hearing on his competency to be executed. The motion explains that his lead counsel has accepted a teaching position and another attorney has other commitments, and that there has been a delay in obtaining the hearing transcript. Counsel asserts that these problems together have made the current schedule for submitting the brief unworkable. Under the current schedule, Eldridge's brief is due on September 13, 2012, and Thaler's brief is due on October 11, 2012. Eldridge seeks an extension until December 21, 2012. Thaler agrees to an extension only until September 20, 2012.

This case has encountered a number of delays. While the added time needed to obtain the hearing transcript was beyond counsels' anticipation or control, the changes in their schedules and commitments were not. To give parties a reasonable time to present their arguments but without unduly extending the delay, Eldridge's motion will be granted in part. The deadlines are extended, but not to the extent Eldridge requests.

Eldridge must file his posthearing brief on or before October 12, 2012. Thaler must file his response on or before November 9, 2012.

SIGNED on September 4, 2012, at Houston, Texas.



Lee H. Rosenthal
United States District Judge